

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

pg 1 of 10

PHILANDER PHILIPPEAUX

Movant,

v.

CASE NO. 13-CR-277-RA-SN

UNITED STATES OF AMERICA

Respondent.

EMERGENCY MOTION TO ALTER OR AMEND ERRONEOUS ORDER (DOC. [163][164])

WITH ATTACHED AFFIDAVIT IN SUPPORT

. Motion to alter or amend authorizes a court to re-visit a prior order to correct errors of law or facts upon which the Order is based, or to prevent manifest injustice.

. Judge Ronnie Abrams stated, "The Court can discern no basis in fact for this assertion, and Mr. Philippeaux has provided none." Relating to Movant's assertion that the Indictment is a FAKE. That statement is undoubtedly based on misinformation.

. Movant Philippeaux, contends that every single of his filing to this court was accompanied with proof of the fake Indictment, exhibit "SI & SSI," copies of the "fake" Indictments, devoid of a "TRUE BILL" endorsement stamped by a Grand Jury. See Federal Rule 10(c), "all exhibit attached to a pleading is part of that pleading for all purposes. Thus, it is "misinformation" when judge Abrams assert that "Mr. Philippeaux provided none."

. Furthermore, Movant Philippeaux always cited this court's own record in this instant case (DOC. [18], pg. 1-6) (DOC. [37], pg. 1-6). The "FAKE INDICTMENT" has no "TRUE BILL" (stamped) by a Grand Jury. (Judge Abrams need just look at a legal indictment and compare what a FAKE Indictment is). Movant has attached convenient copies of the FAKE INDICTMENT's relevant pages, hereto as exhibit "SI & SSI."

. Hence, judge Ronnie Abrams, could have easily cited the "Grand Jury proceeding's transcript," showing an indictment was in fact issued against Movant, and put an end to filings of multiple erroneous Orders that are based on misinformation. Just maybe Movant would not have been able to argue with

pg 28/10

the Grand Jury's "transcript", which is the intended purpose of transcribing a proceeding. To "discern" truth from lies, in Federal Courts that seeks only the truth! This Order is erroneous and is based on misinformation. A legal TRUE BILL Indictment is required to have a "TRUE BILL" stamped by the Foreman of the Grand Jury. (Weird having to state a "true bill" requires a "true bill" to make it a "true bill").

- . No explanation is required, the questions to judge Ronnie Abrams are:
- . 1) "is there a TRUE BILL stamp in Mr. Philippeaux indictments?
- . 2) Does an Indictment from a Grand Jury require a "TRUE BILL" stamped by a Grand Jury Foreman?
- . 3) Was the Grand Jury proceeding transcribed?
- . 4) Does transcription of proceedings is used to discern between TRUTH from LIES, in Federal Court's proceedings?

. Hence, the public can discern no basis in fact in judge Abrams' assertion in her Order, and judge Abrams has provided none. No Grand Jury transcript, no statement articulating that an "Indictment doesn't require a TRUE BILL" stamp. Thus, all the previous Orders or this instant Order, are always based on misinformation, as opposed to "law and fact."

. AFFIDAVIT IN SUPPORT

. I, Philander Philippeaux, hereby declare upon my unlimited liability and provision of Section 1746 of Title 28, United States Code, under penalty of perjury, that the following information is true, correct, complete, and not intended to deceive, obfuscate, or intimidate public officers in the performance of their duties, to the best of my knowledge, understanding, or belief.

. 1- The Indictment filed in this case is a "FAKE INDICTMENT," does not have a "TRUE BILL" stamp issued by a Grand Jury. See exhibits "SI & SSI" attached hereto, or this Court's own record (DOC. [18], pg. 6), (DOC. [37], pg. 6)

. 2- That there is "NO GRAND JURY PROCEEDING'S TRANSCRIPT" articulating a true bill indictment has ever been issued against Mr. Philippeaux!!! And that the Grand Jury transcript stated: "the agent testifying is to make himself available to bring more evidence to the Grand Jury, because all the evidence presented, at the moment, was FAKE."

. 3- That the prosecutors proceeded on their own to file a fake indictment in conspiracies with other known and unknown federal officers. In hope that Movant would plead guilty!!!

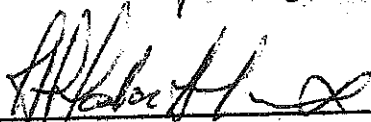
pg 308/10

CONCLUSION

Movant Philander Philippeaux, respectfully request that this court grants the relief requested, and all other reliefs this Court deems just and proper.

Respectfully submitted,

Filed # 7868 5982 1134



PHILANDER PHILIPPEAUX

05/05/21

DATE

This motion was previously docketed as an attachment to the Court's most recent prior order, and has already been denied. See Dkt. 165. The Clerk of Court is directed to terminate Dkt. 166.

SO ORDERED.



Hon. Ronnie Abrams
05/11/2021